# CLASSIFICATION OFFICE DECISION

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| **Title of publication:** | 329335.jpg |
| **Other known title(s):** | Not stated |
| **OFLC ref:** | 0901643.000 |
| **Medium:** | Computer Image File |
| **Publisher:** | Not stated |
| **Country of origin:** | Not stated |
| **Language:** | Not applicable |
| **Applicant:** | The District Court at Lower Hutt |
| **Classification:** | Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years. |
| **Descriptive note:** | None |
| **Display conditions:** | None |
| **Date of entry in Register:** | 04 February 2010 |
| **Date of direction to issue a label:** | No direction to issue a label has been issued |

**Summary of reasons for decision:**

The computer image file shows sexual activity between a male and a female. The Because the age of the female figure is uncertain, consideration has been given to whether the publication promotes or supports, or tends to promote or support, the exploitation of young persons for sexual purposes. The quality of the image is poor and there are insufficient visual clues to allow the conclusion that the female figure shown is a young person. However, given the image's focus on sex and nudity and the fact that it is clearly intended for the purpose of sexual arousal, a restriction to adult viewers is required.

The New Zealand Bill of Rights Act 1990 has been considered in the application of the criteria of the Films, Videos, and Publications Classification Act 1993 to this publication. The classification places a limit on the freedom of expression, but the availability of the publication to children and young people is likely to be injurious to the public good. The classification is reasonable, demonstrably justifiable and the minimum required to avoid injury.